

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

LORI BERNARD WILPRIT, )  
*Plaintiff,* )  
 )  
v. )  
 )  
CAPITAL ONE BANK USA, N.A. and )  
CAPITAL ONE BANK, N.A., )  
*Defendants.* )  
 )  
1:24-cv-00388

**ORDER**

This matter is before the Court on Capital One, N.A. and Ms. Wilprit's Joint Motion for Supplemental Briefing Schedule (Dkt. 91). Defendants' filed their Motion to Dismiss on April 21, 2022, in the Northern District of Texas, Case No. 3:22-cv-00452 (Dkt 18). The matter was transferred to this Court on March 12, 2024. Dkt.79. Capital One, N.A. and Ms. Wilprit request an opportunity to file supplemental briefing regarding Defendants' Motion to Dismiss, to include discussion of Fourth Circuit and Virginia law. Upon consideration of the Joint Motion for Supplemental Briefing Schedule, it is hereby

**ORDERED** that the Joint Motion for Supplemental Briefing Schedule (Dkt. 91) is **GRANTED**, and it is further

**ORDERED** that within 14 days of entry of this Order, Capital One N.A. shall file supplemental briefing regarding Defendants' pending Motion to Dismiss; and it is further

**ORDERED** that Ms. Wilprit shall file a response to Capital One, N.A.'s supplemental brief within 14 days; and it is further

**ORDERED** that Capital One, N.A. may file a reply within 6 days of Plaintiff's response; and it is further

**ORDERED** that Capital One, N.A. shall notice the pending Motion to Dismiss for hearing or file a waiver of hearing upon submission of its supplemental brief.

Entered this 12<sup>th</sup> day of April, 2024.  
Alexandria, Virginia

  
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Patricia Tolliver Giles  
United States District Judge